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Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

Claims 20 and 21 currently stand rejected under 35 U.S.C. §102(b) as being anticipated by the patent to Williams (US 2,270,914). Claims 1, 2 and 4 to 6 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over a proposed combination of the patent to Holderegger (US 2,650,871) with what has been characterized as "the disclosed prior art", making reference to disclosure provided in applicant's specification, and claims 1 to 5 similarly stand rejected under 35 U.S.C. §103(a) as being unpatentable over a proposed combination of the patent to Williams with what has been characterized as "the disclosed prior art". It has been indicated that claims 7 to 18 and 22 to 30 would be allowable if suitably rewritten, and claims 31 to 47 currently stand allowed.

The position presented in the Office Action of November 6, 2006, was discussed with the Examiner by telephone on November 29, 2006, and the undersigned would like to thank the Examiner for the courtesy of this interview. Noting the position taken by the Examiner at lines 5 to 7 of page 5 of the Office Action, and noting that the current Office Action has been made final, inquiry was made whether an amendment of the transitional phrase used in independent claims 1 and 20 from "comprising"

to "consisting essentially of", combined with an amendment of dependent claims 7 and 22 to independent form, would operate to secure an allowance of this patent application.

The Examiner indicated that amending dependent claims 7 and 22 to independent form would operate to secure an allowance of claims 7 to 18 and 22 to 47, leaving claims 1 to 5, 20 and 21 for further consideration. It was further indicated that the amendment of the transitional phrase used in independent claims 1 and 20 from "comprising" to "consisting essentially of" would overcome the stated rejections based on Williams (which would then leave claims 20 and 21 in condition for allowance), but that it remained unclear whether the rejection based on Holderegger (i.e., the rejection of remaining claims 1, 2, 4 and 5) would also be overcome by such amendment.

Responding to this, it was noted that the furniture disclosed by Holderegger has drawers which are rotatably received on carriers 5 mounted to bottom portions of the drawers so the drawers can be rotated about an axle pin 11, and that rotation of the drawers is limited by guide pins 7, 8 which are received in corresponding guide slots 14, 15. The axle pin 11 is received in a slot 16, and the guide slots 14, 15 are provided with slot portions 14a, 15a for receiving the guide pins 7, 8, in a manner which "assures proper alignment of the drawer on said carrier so that there is no danger of the drawer damaging the desk while it is being pushed thereinto" (col. 2, lines 37 to 40), as noted in

applicant's Reply filed August 28, 2006.

It was further noted that even if the position is taken that "retractable tip locking mechanisms" are well known in the art, as is stated in the Office Action at lines 13 and 14 of page 3, the use of a retractable tip locking mechanism with the locking mechanism disclosed by Holderegger is in no way suggested, and if such a combination was attempted, the retractable tip locking mechanism would then be structurally inconsistent with the drawer and locking mechanism of Holderegger.

Firstly, the drawers of Holderegger already incorporate a locking mechanism, that being the slot 16 for receiving the axle pin 11, combined with the slot portions 14a, 15a of the guide slots 14, 15 for receiving the guide pins 7, 8. There would be no reason for the drawers of Holderegger to incorporate an additional type of locking mechanism, as is suggested in the Office Action at lines 14 to 18.

Secondly, such a retractable tip locking mechanism, if added to the pin and slot arrangement of Holderegger, would then interfere with operation of the pin and slot arrangement because the axle pin and the guide pins would be precluded from sliding within the slots which receive them. This would, in turn, prevent the drawer from being released for rotation from the longitudinal orientation shown in Figure 4 to the transverse orientation shown in Figures 1 and 2.

Thirdly, adding a retractable tip locking mechanism

to the pin and slot arrangement of Holderegger would cause interference between the retractable tip locking mechanism and the frame of the desk located beneath the drawer, preventing the drawer from closing properly.

Following this, the Examiner indicated that the proposed amendment of the transitional phrase used in independent claim 1 from "comprising" to "consisting essentially of" appeared to overcome the stated rejection based on Holderegger, and that due consideration would be given to an allowance of amended claims 1 to 5.

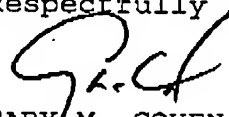
The present Reply operates to amend claims 1, 7, 20 and 22 in accordance with the proposals presented during the interview conducted with the Examiner on November 29, 2006. In addition, the dependency of claim 8 has been amended to depend from a pending claim, and claim 15 has been amended to provide appropriate antecedent basis for recitations made following the amendment of claim 7 to independent form. Claims 16 and 18 have also been amended to further define elements recited in claim 1 so that no additional elements are recited in claims depending from a claim reciting the transitional phrase "consisting essentially of".

In view of the foregoing, it is submitted that this patent application has been placed in condition for allowance.

It is recognized that this Reply is being filed after a final rejection. However, the amendments made to the claims

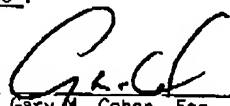
have either been presented to comply with requirements of form expressly set forth in the Office Action of November 6, 2006, or to adopt Examiner suggestions made in the Office Action, as further discussed with the Examiner during the telephone interview of November 29, 2006. It is submitted that only a cursory review of the amendments which have been presented will be required and that such amendments will operate to place the application in condition for allowance. Accordingly, it is submitted that such amendments are appropriately entered and considered pursuant to 37 C.F.R. §1.116(b), and corresponding action is earnestly solicited.

Respectfully submitted,

  
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on: December 29, 2006.

Date: 12/29/06

  
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